



**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL AND THE COUNCIL
SITTING AS THE REDEVELOPMENT AGENCY BOARD**

**Council Chamber in City Hall
68-700 Avenida Lalo Guerrero
Cathedral City, CA 92234**

WEDNESDAY, SEPTEMBER 28, 2005

The Regular meeting of the City Council, also sitting as the Redevelopment Agency Board was called to order by Mayor DeRosa in the Council Chambers on September 28, 2005 at 3:00 p.m.

ROLL CALL:

Present: Council Members/RDA Board Members England, Marchand, Vasquez,
Mayor Pro Tem/RDA Vice Chairman Pettis, Mayor/Chairman DeRosa

Absent: None

Mayor DeRosa opened public comments for anyone who wanted to speak on any Closed Session item. There were no requests to speak.

The regular meeting began at 6:30 p.m. and was opened by Mayor DeRosa.

Reverend Stuart Collins, Community Presbyterian Church, Cathedral City led the invocation. Mayor DeRosa also asked for a moment of silence for Simon Wiesenthal on the occasion of his passing.

The Air Force Junior ROTC from Cathedral City Senior High presented the colors and Mayor DeRosa led the audience in the Pledge of Allegiance.

Mayor DeRosa, hearing no objection, asked Council to join her at the podium for a presentation to Reverend Stuart Collins, on the occasion of his upcoming retirement as Pastor for the Community Presbyterian Church in the cove.

CLOSED SESSION AGENDA:

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8 (**Paul Shillcock**)

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Property Location: Properties comprised of parcels 677-441-011; 677-441-002; 677-443-004; 677-443-005; 677-445-014 and associated parcels
Negotiating Parties: Redevelopment Agency and Wayne Merritt
Property Owner: Redevelopment Agency
Under Negotiation: Property Disposition

2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8 (**Paul Shillcock**)
Property Location: 68307 East Palm Canyon Drive
APN# 687-086-001
Negotiating Parties: Redevelopment Agency and Desert Hockey Association G. Stevens.
Property Owner: Redevelopment Agency
Under Negotiation: Lease of Property
3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8 (**Paul Shillcock**)
Property Location: APN# 687-030-075, 076 and 076
Negotiating Parties: Redevelopment Agency and Don Stewart
Property Owners: Jessup Auto Plaza and Tramview Land Company
Under Negotiation: Disposition of Property
4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (**Paul Shillcock**)
Property Location: Northwest Corner of Landau Boulevard and Vista Chino
APN# 677-214-038
Negotiating Parties: City of Cathedral City and Mr. and Mrs. Sol Wynar
Property Owner: Sol Wynar
Under Negotiation: Property Acquisition
5. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8 (**Paul Shillcock**)
Property Location: East of Van Fleet Avenue, South of East Palm Canyon, west of East Cathedral Canyon Channel and north of "D" Street
Negotiating Parties: Redevelopment Agency and City Urban Revitalization Corporation (CURC)
Property Owners: Redevelopment Agency
Under Negotiation: Disposition of Property
6. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8 (**Paul Shillcock**)
Property Location: East of the East Cathedral Canyon Storm Channel in Designated Open Space Area.
APN #674-020-009 & 011 and 670-060-017 & 025
Negotiating Parties: Cathedral City Redevelopment Agency, Desert Cove

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Golf Resorts, LLC and Barbara Lyons.
Property Owner: Cathedral City Redevelopment Agency
Under Negotiation: Property Disposition

7. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (**Charlene Sumpter**)
Property Location: Parcels just north of A & B Street, west of Van Fleet, East of Cathedral Canyon, south of East Palm Canyon Drive otherwise known as Phase II
Negotiating Parties: Cathedral City Redevelopment Agency and Tri-Millennium Cathedral City LLC
Property Owner: Cathedral City Redevelopment Agency
Under Negotiation: Property Disposition/Lease Negotiations
8. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (**Charlene Sumpter**)
Property Location: Parcels East of Cathedral Canyon Drive, North of East Palm Canyon Drive, south of Lalo Guerrero and west of George Montgomery.
Negotiating Parties: Cathedral City Redevelopment Agency and Tri-Millennium Cathedral City LLC
Property Owner: Cathedral City Redevelopment Agency
Under Negotiation: Property Disposition
9. CONFERENCE WITH LEGAL COUNSEL- POTENTIAL LITIGATION pursuant to Government Code Section 54956.9, Subd. (b)
Number of Potential Cases: 1
10. CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54957.6
Agency Negotiator: Donald Bradley, City Manager
Represented Employees: 1) Cathedral City Police Fire Management Association (CCPFMA); 2) American Federation of State, County and Municipal Employees.
11. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9, Subd. (a):
Case Name: Artistic Entertainment Services, LLC v. Coachella Valley Arts Alliance, et al., Los Angeles County Superior Court, Northeast District
Case No. GC 35698

CLOSED SESSION ANNOUNCEMENTS

City Attorney Green advised there were no reportable actions out of closed session, however, he noted that the City Council had not completed the Closed Session agenda, therefore would be returning to Closed Session at the end of the Regular Meeting. Mr. Green further advised that the Council would return to open session and announce any reportable actions prior to adjourning for the evening.

PUBLIC COMMENTS

Bill Cohen – Cathedral City. Bill emphasized the need for more volunteers for Citizens on Patrol (COPS), advised that he is still selling T-shirts in white, grey, and black for benefit of the COPS. He told how a COP in Dade County had given 28 years of volunteering as a dispatcher even though he was blind.

Greg Wetmore – Rancho Mirage. Mr. Wetmore is President and CEO of the Cathedral City Chamber of Commerce. Mr. Wetmore gave a run down of the upcoming activities. October 5th celebrating their 65th anniversary at the Power Breakfast, October 19th with the Business Expo in Town Square, and October 25th with the State of the City address by Mayor DeRosa at the annual luncheon. He will be presenting the Chamber's quarterly report on October 12th at the Council Meeting.

Jesus Gutierrez – Cathedral City. Mr. Gutierrez was here two weeks ago, and was again here to tell us about city code enforcement issues along East Palm Canyon to Date Palm with trash in the medians, he wants the city to clean up Cathedral City.

Brad Fleener – Cathedral City. Mr. Fleener represents Desert Aquatics and is the Swim Coach at CC High School. Mr. Fleener continues to support a swimming pool for Cathedral City. Mr. Fleener said "12 months ago no one was thinking about a pool and now everyone is! My goal is to invest in children, what do you want to be remembered for?"

Greg Wittmore – Band Instructor from CC High School wanted to thank the City Council for attendance at a band function about a month ago. The band has grown from 30 to 90 members and will be performing in the State Street Thanksgiving Day Parade in Chicago and no band student will be "left behind". They are looking for donations to off set the cost, those who want to donate may call the Band Hot Line at 760-770-0164.

Norman Paparo – Cathedral City. Mr. Paparo attended the Council Meeting two weeks ago and was back to tell us that the Date Palm Country Club has raised the rents again, and how he thinks the city is missing out on income and should take over Date Palm Country Club and use it for economic gain. He feels that one thing that could be built there is Casinos (not Indian, but American Casinos).

AGENDA FINALIZATION

There were no changes to the Agenda as presented.

SCHOOL REPORTS

Two Student Representatives from Cathedral City High School – Douglas Crawford and Deborah Gonzales were present to give a report on what is happening at the school. They are doing fund raising for the Hurricane victims. Douglas is active in AVID and they are working on getting the College Program Trip organized, they need to raise money if they are to visit colleges from November 9-12. There are 50 plus clubs in their school, this year they have a Knitting Club, and a new booster club OH LA LA. Every Wednesday is College Days, where students, faculty and staff wear clothing associated with Colleges. This is being done to raise the students awareness.

COUNCIL COMMENTS

Council Member Vasquez gave a report about the fund raising for the families of Jeff Welsh and John Aman, both Cathedral City Firefighters. Many members of their families were affected by Hurricane Katrina.

Council Member England reported on the positive results of implementation of 41 recommendations done with regard to the Sun Line Audit. He complimented Sun Line on their quick turn around of these items and thanked them for their hard work.

Council Member Marchand advised that the 211 Social Services Hot Line can be used for non emergency calls – thus freeing up the 911 system for better service and less calls. He also advised that the Friday night Concert by Canyon Classics here in the Council Chambers was a huge success and that the goal of raising \$1000 for a newer piano in the Senior Center was surpassed. He attended the CVMAC dinner on Saturday night.

Mayor Pro Tem Pettis represented the city at the National League of Cities held in San Antonio. He commented that San Antonio has 23 public libraries for their 1.2 million people. They are also hosting many thousand evacuees from Houston. We were mainly dealing with Health Care Policies, and substance abuse.

Mayor DeRosa – On October 10th here in Council Chambers there will be a Candidates Forum for the PSUSD School Board candidates. Will be hosted by KPSI at 6:00 p.m., will be recorded by KPSI and taped by Cathedral City for showing on Time Warner. If you would like to donate to the American Red Cross and want you money to stay in Riverside County, you may note that in your donation. Cy Breen worked to get signals by the High School, which have taken care of nightmare conditions.

MINUTES

The minutes of the regularly scheduled City Council/RDA Board meeting on Wednesday September 14, 2005 were approved as written.

PRESENTATIONS & PROCLAMATIONS

Stuart Collins – presented earlier in evening.

CONSENT AGENDA

Mayor Pro Tem Pettis moved approval of the Consent Agenda with items number 1-10, with item 8 as amended. Motion seconded by Council Member Marchand, motion carried 5-0 with the following exceptions: Council Members England and Vasquez voting no on item number 2 and Mayor DeRosa voting no on item number 3.

1. Adopted **Ordinance No. 608**, an Ordinance of the City Council for the City of Cathedral City, amending section 2.04 of the Cathedral City Municipal Code by expanding the designated location of regular City Council meetings set forth in Section 2.04.020 and by repealing Section 2.04.060 to delete reference to the City Council's authority to make appointments to City Boards and Commissions consistent with State Law.
2. Adopted **Ordinance No. 609**, an Ordinance of the City Council for the City of Cathedral City, amending section 2.04.050 of the Cathedral City Municipal Code thereby increasing the amount of monthly compensation paid to each member of the City Council from Six Hundred Nineteen dollars and Fifty Cents (\$619.50) to Seven Hundred Ninety One Dollars and Eight Cents (\$791.08) effective at the first meeting of the City Council in the month of December of 2006.
3. Adopted resolution of the City Council for the City of Cathedral City, urging the President and the Congress of the United States of America to repeal the federal policy of the United States armed forces know as "Don't Ask, Don't Tell", **by Resolution No. 2005-74.**
4. Approved a commitment to refer businesses located in Cathedral City to the Riverside County Workforce Development Center as a business development resource **by Minute Order # 3961.**
5. Final acceptance of the Perez Road Sidewalk extension and authorize release of City-held retention funds to Contreras Construction, Inc. **by Minute Order # 3962.**
6. Accepted annual review of development agreements No. 90-04 related to Cimarron Golf Resort and No. 94-01 related to La Pasada **by Minute Order #**

3963.

7. Approved policy regarding mileage reimbursement for use of personal vehicles on city business **by Minute Order # 3964.**
8. Approved releasing checks for 1st and 2nd quarter with the Cathedral City Boys and Girls Club **by Minute Order # 3965. The Boys and Girls Club to return to council with some additional information.**
9. Authorization the extension of the lease from the Agency to the City and between the City and the Desert Hockey Association for the former Heilig-Meyers building on East Palm Canyon Drive through April 30th, 2006 **by Minute Order # R-1035.**
10. Approved the landscape maintenance agreement with Riverside County for the Cathedral City Public Library **by Minute Order #3966.**

PUBLIC HEARING

11. Disposition of two-single family lots to improve lower-income affordable housing. (Canyon Vista Apartments)

Warren Bradshaw was there to answer questions, none from Council.

Public Comments were opened and closed without comment.

Council Member Marchand moved approval, motion seconded by Council Member England, motion carried 5-0 **by Resolution R-424 and Resolution 2005-75..**

LEGISLATIVE ACTION(S)

12. Adopted **Resolution 2005-76** of the City Council for the City of Cathedral City, honoring the memory and achievements of Simon Wiesenthal on the occasion of his passing away.

Mayor DeRosa complimented Council Member Marchand for the preparation of this Resolution and then had Mr. Marchand share parts of the Resolution with the audience.

Mayor DeRosa opened Public Comments and Joel Brant from Palm Desert and a Holocaust survivor thanked the City Council and the Mayor stating that he applauded the city for this resolution, and he believed that we were the only city in the valley to take such action.

Bill Cohen – Cathedral City. Mr. Cohen said he was raised by his maternal Grandmother who had lost over half of her family to the Holocaust and he prays that nothing like this ever happens again.

Hearing no one else wishing to speak, Mayor DeRosa closed Public Comments.

Council Member England moved approval of the Resolution, motion seconded by Council Member Vasquez, motion carried 5-0 **by Resolution 2005-76.**

13. Approval of Design Review No. 04-203, Conditional Use Permit Nos. 04-021; 04-022; 04-023; and the associated Negative Declaration subject to the attached conditions and based on the findings contained in the staff report. A request to construct 84,250 square feet of retail space in six building including three with drive-through facilities, and to merge 9 existing lots into six commercial lots in the PCC (Planned Community Commercial) District.

There was a brief report by Richard Malacoff of the Planning Department. This project will consist of a shopping center containing a Stater Brothers, a drug store and two other businesses. The project located at Landau and Vista Chino. Several questions were answered by the applicant Paul Loubet of Costa Mesa.

Public Comments were opened and closed with no comment.

Council Member Marchand moved approval, motion seconded by Council Member England, motion carried 5-0 **by Minute Order # 3967.**

14. Approval of Tentative Parcel Map No. 30726: a request to subdivide 18.72 acres into ten parcels with one remainder in the I-1 (Light Industrial) District.

There was a brief report by Richard Malacoff of the Planning Department. This is a subdivision of land and the applicant, David Turner of Palm Desert was in the audience to answer several questions.

Public Comments were opened and closed with no comment.

Mayor Pro Tem Pettis moved approval of the Parcel Map No. 30726, motion seconded by Council Member England, motion carried 5-0 **by Minute Order # 3968.**

15. Approval of extension to the Memorandum of Understanding (MOU) with Wayne Merritt.

A brief report was given by Paul Shillcock, Economic Development Director. Original MOU executed in May of this year and are asking an extension of 120 days.

Mayor DeRosa opened the floor for Public Comments.

Chris Bochner – Cathedral City. He hopes that the City has seen the plans, he thinks they are beautiful and brings 300 plus affordable housing to the city.

Frank Webb – Murietta. He has worked long and hard for a housing development in this area and this was developed for a specifically designed wide range of affordability factors. He gave a number of reasons why he doesn't want to see the MOU extended.

Edward Dilkes – Los Angeles. Attorney for the Bochner's. The Bochner's really want to develop the housing they have planned. He also gave a number of reasons why he doesn't want to see the MOU extended. What we are really asking is that you cut the Bochner property out of the MOU.

Mayor DeRosa advised that she had great reservations and she is unwilling to go for a 120 day extension, she has concerns about R.V. business. Mayor DeRosa moved to extend the MOU for 60 days rather than 100. Motion seconded by Council Member Vasquez, motion carried 5-0 **by Minute Order R-1036**. Mayor DeRosa requested Mr. Shillcock to refer this item to the Real Estate Sub-Committee.

16. Approval of professional services agreement with Granicus solutions to implement streaming video technology in the Office of the City Clerk and related actions thereto.

Brief report made by Pat Hammers, City Clerk.

Public Comment was opened and closed without comment.

City Attorney Green advised that the professional services agreement wasn't yet completed by the Assistant City Attorney.

Council Member Marchand moved to defer consideration until October 12, motion died for lack of a second.

Council Member England moved approval, motion seconded by Mayor Pro Tem Pettis, not to exceed \$39,599.19, motion carried 5-0 **by Minute Order # 3969**.

17. Authorization for staff to execute amendment No. 3 to the Professional Services Agreement with HDR Engineering Inc., to provide additional Construction Management services for the Date Palm Drive Overhead Project.

There was a brief report by City Engineer Bill Bayne.

Public Comments opened and closed without comment.

Council Member Marchand moved approval not to exceed \$66,000, motion seconded by Council Member Vasquez, motion carried 5-0 **by Minute Order # 3970**.

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18. Authorization for Staff to Execute Amendment No. 1 to the Professional Services Agreement with HDR Engineering Inc. to provide bid documents for the Edom Hill Road and Varner Road Repair and Reconstruction.

There was a brief report by City Engineer Bill Bayne.

Mr. Bayne answered a question by Mayor Pro Tem.

Public Comments were opened and closed without comment.

Council Member Marchand moved approval not to exceed \$65,000, motion seconded by Council Member England, motion carried 5-0 **by Minute Order # 3971.**

Mayor DeRosa advised that her employer was mentioned in the staff report for Item 19. She will abstain on this item and turned the meeting over to the Mayor Pro Tem.

19. Authorize permanent repairs to four Date Palm Drive traffic signals damaged by power surges in May and emergency repairs to 30th & Landau signal in September, 2005.

There was a report by Deputy City Manager Julie Baumer.

Public Comments were opened and closed without comment.

Council Member Marchand moved approval not to exceed \$54,473.69, motion seconded by Council Member England, motion carried 4-0-1, with Mayor DeRosa abstaining.

ADJOURNMENT

Hearing no further business to come before the Council, the meeting adjourned to Closed Session to finish the Closed Session Agenda at 8:23 p.m. Council returned from Closed Session at 8:48 p.m. City Attorney Charles Green advised there were not reportable actions out of Closed Session and the meeting was immediately adjourned.

Pat Hammers, CMC
City Clerk